

### **REMARKS**

In response to the Final Office Action mailed November 17, 2004, the Applicant respectfully requests reconsideration.

Applicants note with appreciation the indication of allowable subject matter in claims 1-8, 10 and 11, and in claims 14-16, 18, 21-24, 29-31, 33 and 36-39 if rewritten in independent form.

By this amendment, Applicant has amended claim 1 solely for clarification. Claims 1, 2, 4-8 and 10-39 are pending, of which claims 1, 10, 12 and 25 are independent.

**1. Claims 12-24 Patentably Distinguish Over Mabry in View of Rodgers.**

Claims 12, 13, 17, 19 and 20 stand rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over U.S. Patent No. 6,330,971 (Mabry) and U.S. Patent No. 6,340,932 (Rodgers). Applicant respectfully traverses this rejection.

**1.1. Discussion of Mabry.**

Mabry is directed to a radio frequency identification system and method using a custom interface protocol for tracking silicon wafers through various stages of the wafer manufacturing process (Col. 1, lines 14-18). A reader 14 continually polls three antennas 18a, 18b, 18c, waiting for a change to occur. Reader 14 detects the presence of input cassette 12a when it nears antenna 18a, and reads the cassette ID on page 2 of tag 20 via antenna 18a. In turn, reader 14 sends a "cassette arrived" message to controller 22 to indicate the arrival of cassette 12 at a reader position (Col. 8, lines 33-41; Figs. 1-3).

Although Mabry indicates that the reader detects the presence of an input cassette, Mabry is silent regarding how the reader detects such presence.

**1.2. Discussion of Rodgers.**

Rodgers is directed to communication systems of the type having multiple transmitting and receiving devices that share a common communication medium; and, to methods for establishing communication in the presence of large number of such devices (Col. 1, lines 18-22). Rodgers includes an object identification system 100, including host computer 22, network 128, monitors 124 and 126, and antenna systems 120 and 122, sensors 160 and 162, and controls 164 and 166 (Fig. 1, Col. 7, lines 45-49). System 100 is capable of establishing reliable communication in spite of interference from transmitting sources not part of system 100 (Col. 7, lines 49-51).

1.3. The Combination of Mabry and Rodgers Is Improper.

Combining Rodgers and Mabry as suggested in the Office Action is improper, because, at the time of the invention, one skilled in the art would not have been motivated to make such combination. The Office Action contends (page 3, lines 6-10) that it would have been obvious to one of skill in the art to modify Mabry to used frequency scanning as suggested by Rodgers in the reading phase of Mabry to enable the system of Mabry to read transponders of various manufactures that communicate on different frequencies. However, Mabry does not disclose the need or desire to read transponders of various manufactures or that communicate on different frequencies, such that one of skill of the art would not have been motivated to make this modification to Mabry.

1.4. Even if Mabry and Rodgers Were Combined, Claims 12-24 Patentably Distinguish over Such Combination.

Even if Rodgers and Mabry were combined as suggested in the Office Action (which would be improper), the resulting combination would not teach or suggest all of the limitations of claim 12. Specifically, such combination would not teach or suggest a method of controlling an electromagnetic field generated by an oscillating circuit, the method comprising, inter alia, detecting whether a transponder is present in the electromagnetic field **by comparing a present value of a parameter corresponding to one or electric properties of the oscillating circuit to a predetermined value of the parameter**, as recited in claim 12. Although Mabry indicates that a reader 14 detects the presence of an input cassette 12a, Mabry is silent regarding *how* the reader detects such presence. Rodgers fails to remedy this deficiency of Mabry. Thus, no combination of Mabry and Rodgers would teach or suggest performing the comparison recited in claim 12.

In view of the foregoing, claim 12 patentably distinguishes over Mabry and Rodgers, individually or in combination. Accordingly, applicant respectfully requests that the rejection of claim 12 under §103(a) be withdrawn. Claims 13-24 each depend from claim 12 and are patentable for at the same reasons. Accordingly, applicant respectfully requests that the rejections of claims 13, 17, 19 and 20 be withdrawn.

2. Claims 25-39 Patentably Distinguish Over Mabry and Rodgers.

Claims 25-28, 32, 34 and 35 stand rejected under §103(a) as purportedly being unpatentable over Mabry and Rodgers. Applicant respectfully traverses this rejection.

As set forth in Section 1 above, the suggested combination of Mabry and Rodgers is improper.

Further, even if such combination were proper (which it is not), the resulting combination would not teach or suggest all of the limitations recited in claim 25. That is, for reasons that should be clear from the discussion of Mabry and Rodgers in Section 1 above, no resulting combination of Mabry and Rodgers would teach or suggest an apparatus for controlling an electromagnetic field generated by an oscillating circuit, the apparatus comprising *inter alia*, a first circuit to detect whether a transponder is present in the electromagnetic field **by comparing a present value of a parameter corresponding to one or more electrical properties of the oscillating circuit to a predetermined value of the parameter**, as recited in claim 25.

In view of the foregoing, claim 25 patentably distinguishes over Mabry and Rodgers, individually or in combination. Accordingly, Applicant respectfully requests that the rejection of claim 25 under Section 103(a) be withdrawn. Claims 26-39 each depend from claim 25 and are patentable for the same reasons. Accordingly, Applicant respectfully requests that the rejections of claims 26-28, 32, 34 and 35 under §103(a) be withdrawn.

**CONCLUSION**

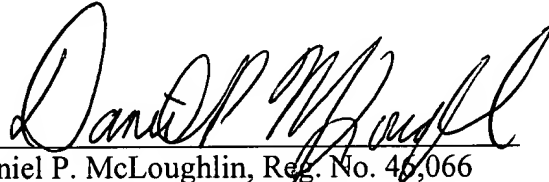
In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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